

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE EXTERIOR COMPANY, INC., et al.	:	CIVIL ACTION
	:	
	:	
v.	:	NO. 24-4252
	:	
MASSACHUSETTS BAY INSURANCE	:	
COMPANY	:	

ORDER

AND NOW, this 19th day of February, 2025, it is **ORDERED** that:

1. The Defendant's motion to dismiss for failure to state a claim [Doc. 14] is **GRANTED** in part and **DENIED** in part.
2. The motion is **GRANTED** as to all the claims of Plaintiff Upper Dublin SC, LLC. All claims brought by Plaintiff Upper Dublin SC, LLC. are **DISMISSED** and the Clerk is **DIRECTED** to strike Plaintiff Upper Dublin SC, LLC as a plaintiff in this matter.
3. The motion is **GRANTED** as to the promissory estoppel claim (Count IV).
4. The motion is **DENIED** as to Counts I (breach of contract), II (bad faith), and III (interference with existing contractual relations).

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.